

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
JUN 10 1964

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**By: Hon. Michael F. Urbanski**  
**United States District Judge**

For the reasons set forth in the accompanying Memorandum Opinion entered this day, it is **ORDERED** that Mark Smyth's § 2255 petition (Dkt. # 391) be **DISMISSED**, that a certificate of appealability be **DENIED**, and that this case be **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to counsel of record.

*/s/ Michael F. Urbanski*  
Michael F. Urbanski  
United States District Judge